

MINUTES
ALABAMA REAL ESTATE APPRAISERS BOARD
RSA UNION STREET
SUITE 370
MONTGOMERY, ALABAMA
July 21, 2006

MEMBERS PRESENT:

Mr. James Davis (Chairman)
Mr. Clifford Odom
Mrs. Myra Pruitt
Mr. Leston Stallworth
Mr. Jon B. Blissitte (Vice-Chairman)
Mr. Thomas E. Garrett
Mr. Fred Crochen
Mr. Joseph Lambert

MEMBER ABSENT:

Mr. Mandell Tillman

OTHERS PRESENT:

Mrs. Lisa Brooks
Ms. Neva Conway
Mr. D.J. Dixon
Mrs. Carolyn Greene

GUESTS PRESENT:

- 1.0 With quorum present Mr. Jim Davis, Chairman called the meeting to order at 8:03 a.m. Mrs. Carolyn Greene, Executive Secretary, recorded the minutes. The meeting was held at the RSA Union Building, 100 N. Union Street, Suite 370, Alabama Real Estate Appraisers Board Conference Room, Montgomery, Alabama. Prior notice of the meeting was posted on the Secretary of State's website on July 7, 2006 in accordance with the Alabama Open Meetings Act.
- 1.1 The meeting was opened with prayer by Mr. Odom and then the Pledge of Allegiance.
- 2.0 Members present were Mr. James Davis, Mr. Clifford Odom, Mr. Leston Stallworth, Mr. Joseph Lambert, Mr. Fred Crochen, Mr. Jon B. Blissitte, Mrs. Myra Pruitt and Mr. Thomas E. Garrett. Member absent was Mr. Mandell Tillman.
- 3.0 Mrs. Greene explained that there was a correction to the regular minutes for May 19, 2006 which were mailed in advance. Updated minutes were given to the Board members for their review. On motion by Mr. Garrett

and second by Mr. Stallworth, the regular minutes for May 19, 2006 were approved as written. Motion carried by unanimous vote.

3.2 Ms. Conway included the following Orders for Board information:

A Motion to Continue the hearings for Robert Weaver and Derek Weaver, which has been scheduled for September 22, 2006 at 10:00, and had been previously scheduled for June 27, 2006 at 10:00 a.m.

An Order for an administrative hearing for George J. Porter, III, which has been scheduled for September 21, 2006 at 11:00, and had been previously scheduled for June 29, 2006 at 10:00 a.m.

An Order for an administrative hearing for A. Julian Smith, which has been scheduled for August 29, 2006 at 10:00 a.m.

An Order from the Circuit Court of Marshall County in the case of Ray Brannum. The Circuit Judge set aside the public reprimand and fine assessed by the Board and dismissed Mr. Brannum's disciplinary action. The order was vacated and rendered null and void.

Ms. Conway also informed the Board that requests have been submitted to the Administrative Law Judge for hearings to be set on three more disciplinary cases.

Ms. Conway thanked the Board and Mrs. Brooks for upgrading the Legal Support ASA II position to that of a Legal Research Assistant.

4.0 At this time Mr. Davis opened the Public Hearings on Administrative Rules 780-X-4.02, Application and License Fees, 780-X-9.01, Classification of Real Estate Appraisers, and 780-X-12-.02, Application for Mentor Status. There was no one present to speak on the proposed amendments. Mrs. Brooks discussed an e-mail from Mr. Richard Maloy regarding the Mentor application fee with the Board. The Board asked Mrs. Brooks to thank Mr. Maloy for his input. On motion by Mr. Garrett and second by Mr. Odom, the Board voted to adopt the rules as written. Motion carried by unanimous vote.

5.0 On motion by Mr. Garrett and second by Mr. Stallworth the following applications were voted on as listed. Motion carried by unanimous vote.

5.1 **Trainee Real Property Appraiser applications approved:** Chad E. Anderson, James M. Bohannon, Michael Booker, Jeffrey B. Clark, Elizabeth L. Courson, Jeffrey J. Curry, Cynthia K. Gurry, Donald Johnson, Hyunsook Kim, Christopher Shane Lindsey, Amanda G. Maddox, Walter Richard Muller, William Dewey Murray, III, Nick A. Musso, Todd A. Parsons, Sellers D. Payne, Brian K. Thorpe, Tyna D. Turner. **Application denied:** James R. Long, Jr.

- 5.2 **State Registered Real Property Appraiser applications approved:** Melissa K. Brogden, Royce M. Cox, Christopher Hallum, Sandra Jonio.
Applications deferred: Dana Lynn, David W. Sumners.
- 5.3 **Licensed Real Property Appraiser applications approved:** Jimmy L. Allred, Howard V. Barton, Monica Daniel (Recip.)(GA), Kristopher Henderson (Recip.)(GA), Lesa S. Knight, William D. Newell.
- 5.4 **Certified Residential Real Property Appraiser applications approved:** Millissa M. Allen, Brandon Beaird, Clifford Bolden, John M. Butler (Recip.)(GA), Patrick Callison (Recip.)(WA), Charles Dettling, Clint A. Duffey (Recip.)(GA), Lisa K. Ferguson, Kathleen Gaylor, Amy Ivey, Geri L. Jones (Recip.)(LA), Dennis Price, Lawrence Sides, Melanie P. Turner, Renee Wendell, John D. Williams, Jessica Wyrosdick. **Applications deferred:** Raymond Browne, Janet Forestor, John P. Garrison, John W. Kidd, Nikolaos C. Pantaze, Joseph Steele.
- 5.5 **Certified General Real Property Appraiser applications approved:** Robin Bedwell, Jay Collins (Recip.)(SC), Kenneth Levenson (Recip.)(TX), Joel Pakula (Recip.)(GA), Steven Pejza (Recip.)(GA), Michael J. Rogers (Recip.)(FL), Julie F. Schroeder (Recip.)(FL), William A. Solt (Recip.)(GA), Christopher J. Stallings (Recip.)(TX), Norman Strickland (Recip.)(WA). **Applications deferred:** Joe Gattozzi, William Mackey, William P. Scruggs.
- 5.6 On motion by Ms. Pruitt and second by Mr. Odom the following mentor applications were voted on as listed. Motion carried by unanimous vote.
- Mentor applications approved:** Jennifer Aldridge, Scott Allen, Nona Andrews, Carla Bailey-Nelson, Chris Baker, William C. Baker, Carol Banton-Hall, Mike Banzhoff, Mark Barrs, Deborah C. Bartley, Joel Beasley, David Bell, Brett Blissitte, Mark Boothe, Robert A. Bowling, William Brasher, Joe Brashier, Marcus E. Brewster, Jr., Leonard Brooks, Alvin Bryant, William David Bryant, Edward M. Bufkin, David H. Burns, Jacqueline Carter, Rick Church, Carlton Parker Cobb, Elton Coley, Michael Cordell, Alex Cotten, Michael cummings, Semra Davenport, James E. Davis, Kathy Jo Dethrage, Seth Dettling, Ward Edge, Edmond Eslava III, Teddy Faust, Jr., William Finley, Sr., Jard Flake, David Floyd, James W. Folkes, Dennis Franklin, Charles Gaba, Martha Garrett, Joseph Gattozzi, Cade Gentry, Alan Graben, John L. Graham, Jr., B. M. Green, Sherman E. Guyton, Frederick E. Hall, Barbara Harrison, Stephen Hasha, David Michael Hayes, James L. Hllpert, Lee C. Holliday, Sean Hollis, Michael W. Hollon, Donna Huey, Larry Humber, Lauri Hyyti, T. L. Inman, Bradley R. Jones, Thomas B. Jones, III, Dennis M. Joseph, Dennis Key, John Kilpatrick, Austin Kimberly, Jr., Paul Kinard, Larry Kitchens, William Kreh, III, William Kreh, IV, Lee Lawson, Morris Locke, III, Mike Lowery, David Lummus, Pat Lynn McDerment, Charles R. McLemore, Jr., Steven Mains, Evan Glenn Malone, Donie Maner, Grant Mann, David R. Massengale, Mario Mazzei, Stephen R. Metcalf, Fletcher Moore, Sr., Ronald Morgan, Steven Morgan, Robert Moss, Darlene Mueller, David . Mullins, Woni Nelson, Mike Noble, Clifford Odom, Rose

Marie Osborn, Robert Paulk, Weldon Payne, Deena Pennington, Laura Podbel, Roger M. Pugh, Stephen C. Ratley, Jerry Reaves, David Roach, Jeffrey Roberts, Lowell Roberts, Ray Rossell, Denzil Sands, Robyn Sartin, G. Harris Satterfield, Roscoe Shamblin, Daniel Sizemore, Julian Skinner, Josh Smith, Kirby Smith, Harry Stakely, J. Craig Stephens, Martin Stone, Emil Sullivan, Burke Sylvest, Dan Taylor, James Wagner, Kyle M. Waites, Jr., Andrew Dunn Watson, Gary Wheat, Eric Wolfe, John Woodall, Steve Wright, Ronald Zielke.

6.0 Mrs. Pruitt discussed the financial report with the Board. Mrs. Pruitt stated we were 75% into FY 06 and 54% into budget expenditures. Mrs. Pruitt stated there were no negative trends that could not be reconciled at this time. Mrs. Brooks added that a new category has been included on the report for Mentor fees. On motion by Mr. Garrett and second by Mr. Blissitte the Board voted to approve the Financial Report. Motion carried by unanimous vote.

6.1 On motion by Mr. Blissitte and second by Mr. Stallworth the following education courses and instructor recommendations were approved, deferred, or denied as indicated.

AMERICAN REAL ESTATE INSTITUTE

Request approval to revise hours for previously approved courses:

- (CE) Sales Comparison Approach – 3 Hours – Traditional Classroom
(previously approved for 6 hours)
- (CE) Residential Subdivision Analysis – 3 Hours – Traditional Classroom
(previously approved for 5 hours)
- (CE) Neighborhood Analysis – 3 Hours – Traditional Classroom
(previously approved for 4 hours)

***Instructor states course material remains the same, no changes.
Course Revision Approved.**

AMERICAN SOCIETY OF FARM MANAGERS & RURAL APPRAISERS, INC.

Initial Application:

- (CE) National USPAP Course (A-12 III) – 7 Hours – Traditional Classroom
(Instructor: Charles S. Seely)
Both Course and Instructor Approved

APPRAISAL INSTITUTE - CHICAGO

Initial Application:

- (CE) Condominiums, Co-ops, and PUDs – 7 Hours – Traditional Classroom

(Instructor: Alan Simmons)
Both Course and Instructor Approved

Initial Application:

(CE) Forecasting Revenue – 7 Hours – Traditional Classroom
(Instructor: Ted Anglyn)
Both Course and Instructor Approved

CAREER WEBSCHOOL

Initial Application:

(LIC) 2006 National USPAP – 15 Hours – On-line
(Instructor: A. M. (Bud) Black)
Both Course and Instructor Approved

MCKISSOCK APPRAISAL SCHOOL

Initial Application:

(CE) Appraising Historic Homes – 4 Hours – On-line
(Instructor: Ron Beal)
Both Course and Instructor Approved

(LIC) Residential Appraiser Site Valuation & Cost Approach - 15 Hours
– On-line
(Instructor: Alan Simmons)
Both Course and Instructor Approved

(LIC) Residential Report Writing & Case Studies - 15 Hours – On-line
(Instructor: Ken Guilfoyle)
Both Course and Instructor Approved

(CE) 2-4 Family Finesse – 7 Hours – On-line
(Instructor: Alan Simmons)
Both Course and Instructor Approved

NATIONAL ASSOCIATION OF INDEPENDENT FEE APPRAISERS

Initial Application:

(CE) 4.7 FHA Appraisal Protocol Update - 8 Hours – Traditional
Classroom
Course Approved

Motion carried by unanimous vote.

6.2

AB 05-109 On May 19, 2006, the Board issued a private reprimand to a Trainee Real Property appraiser for a residential appraisal he completed as a Trainee appraiser. Licensee signed a consent settlement and agreed to pay a \$400 fine, complete a USPAP FAQs course and 15 hour comparative sales analysis course. The violations were: Licensee failed

to make adjustments in the sales comparison approach for stated differences between subject and the comparables. This caused adjusted sales prices to be incorrectly stated and the final results of the appraisal misleading. Violation: Ethics Rule-Conduct, 1-1(a), 1-1(b), 1-1(c), 1-4(a), 2-1(a), USPAP, 2005 Ed.

Ms. Conway discussed with the Board the investigative status charts. Ms. Conway informed the Board since last meeting the Board received 11 new complaints, 9 complaints were dismissed and 13 were settled with a total of 133 open complaints. Ms. Conway explained the new category on the Open Status Report. The cases have been broken down into 4 categories, based on their status.

The Board discussed the fact that we are down to only one investigator at this time. Mrs. Brooks informed the Board that she has requested that Personnel open a new register for the new Investigator classification.

Mrs. Brooks commended Ms. Conway on her hard work in getting the number of open cases down.

6.2.1 There were no Probable Cause Reports to review at this time.

6.2.2 There were no Anonymous Complaints to review at this time.

6.2.3 The Board reviewed Consent Settlement Order on **AB-04-52 and AB-05-108**. On motion by Mr. Garrett and second by Mr. Odom the Board voted to approve this Consent Settlement Order as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Counsel on **AB-04-86**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Warning on **AB-05-06**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Warning on **AB-05-21**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Warning on **AB-05-68**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Warning on **AB-05-69**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Counsel on **AB-05-104**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Counsel on **AB-05-105**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Counsel on **AB-05-124**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Warning on **AB-04-47**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

The Board reviewed a Letter of Counsel on **AB-04-71**. On motion by Mr. Stallworth and second by Mr. Blissitte the Board voted to approve this Letter of Warning as presented. Motion carried by unanimous vote.

6.3 The following reciprocal licenses were issued since last meeting: John M. Butler (R)(GA), Monica D. Daniel (L)(GA), Clint A. Duffey (R)(GA), Kristopher M. Henderson (L)(GA), Geri L. Jones (R)(LA), Kenneth B. Levenson (G)(TX), Joel Pakula (G)(GA), Steven Pejza (G)(GA), Michael J. Rogers (G)(FL), Julie F. Schroeder (G)(FL), William A. Solt (G)(GA), Christopher J. Stallings (G)(TX), Norman Strickland (G)(WA).

7.0 The temporary permit report was provided to the Board for their information.

8.0 Ms. Conway introduced Mrs. Karen Harlow, who has been hired to fill the new Legal Research Assistant position. Ms. Conway informed the Board that Mrs. Harlow comes to us from the Attorney General's office with 20 years of legal secretarial experience.

Mrs. Brooks informed the Board that she would possibly be hiring someone to fill the vacant ASA II position.

Mrs. Brooks informed the Board that paper renewals will not be mailed out this year. Cards will be mailed instead to try to encourage on-line renewals.

Mrs. Brooks included for Board information the following items:

A letter from Mr. Edmond G. Eslava, IV requesting that he not be required to re-take the Certified Residential exam. On motion by Mr. Stallworth and second by Mrs. Pruitt, the Board voted to not require Mr. Eslava to sit for the exam again. He will, however be required to re-submit his application, an addendum log and the application fee. Motion carried by unanimous vote.

A letter from Mr. Anthony W. Carter, an Alabama resident, requesting a Reciprocal Certified General license. On motion by Mr. Garrett and second by Mr. Blissitte, the Board voted that because Mr. Carter has been a resident of Alabama for many years, he does not qualify for a reciprocal license. Motion carried by unanimous vote.

A letter from Lucia Coghlan, Director of Schools, Career WebSchool, requesting that the Board change its proctoring requirements. After much discussion, the Board agreed to make no changes to its proctoring requirements.

At 10:45 a.m. on motion by Mrs. Pruitt and second by Mr. Stallworth the Board voted to enter Executive Session to discuss a legal matter with legal counsel. Ms. Conway advised the Board in writing that this matter is appropriate for executive session under Section 7(a)(3) of Act No. 2005-40. Motion carried by unanimous vote.

At 11:11 a.m. on motion by Mr. Garrett and second by Mr. Odom the Board voted to re-enter Regular Session. Motion carried by unanimous vote.

9.0 At 11:12 a.m. on motion by Mr. Garrett and second by Ms. Pruitt the Board voted to adjourn. Motion carried by unanimous vote. The next Board meeting will be held Friday, September 15, 2006 at 8:00 a.m. at the RSA Union Building, 100 N. Union Street, 3rd Floor Conference Room, Montgomery, Alabama.

Sincerely,

Carolyn Greene
Executive Secretary

CG

APPROVED: _____
James Davis, Chairman